

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ JUN 19 2015 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

- against -

PIETRO POLOUZZI,

Defendant.

ORDER

BROOKLYN OFFICE

06-CR-22

Defendant moves to modify terms of his supervised release.

First, he moves to strike the court's "requirement" at sentencing, that he be subjected to polygraph testing. Hr'g Tr., June 15, 2015; *see also* Judgment as to Pietro Polouzzi, Apr. 7, 2008, ECF No. 146 (imposing polygraph testing requirement). Prospective control of details of supervised release before incarceration was completed is not appropriate in this case. The motion is granted.

Use of polygraph testing on the defendant on order of probation is stayed pending receipt of reports of experts and assessment of need. Hr'g Tr., June 15, 2015.

Second, defendant moves to end participation in his current "sex offender" treatment program. *Id.* He seeks different group treatment. *Id.* Decision on this motion awaits receipt of expert reports from Dr. Richard Krueger, for the defense, and any expert for the government. Within five days, the government and probation shall advise the court of the composition of the defendant's present "sex offender" group therapy program, focusing specifically on whether it includes both contact and non-contact sex offenders. The expert reports shall take this

information into account in their reports. *Id.* Defendant shall continue to attend the group sessions, when and if required by probation, until further order of the court.

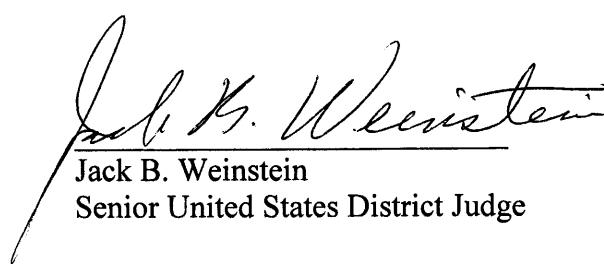
Third, defendant moves to change his individual treatment. *Id.* No adequate basis supporting this request has been submitted. *Id.* The motion is denied.

Fourth, defendant moves for the return of his United States passport so that he may travel internationally to attend to his family's business. For the reasons stated on the record, the motion is denied. *Id.*

Fifth, defendant moves for the government to assist him in obtaining a renewed United States passport, for future use should the future terms of supervised release allow. The motion is granted on consent. *Id.* The government and probation have agreed to attempt to facilitate defendant's passport application. Probation may require that the passport be held by it or otherwise withheld from plaintiff's possession.

Defendant moved to seal the courtroom for the June 15, 2015 hearing. The government opposed. For the reasons stated on the record, that motion was denied. *Id.*

SO ORDERED.



Jack B. Weinstein
Senior United States District Judge

Dated: June 18, 2015
Brooklyn, New York